



Environmental Defense Fund

Comments on

List of Candidates to augment the Science Advisory Board (SAB) Chemical Assessment Advisory Committee (CAAC) peer review of EPA's draft IRIS Toxicological Review of Ammonia

Submitted: January 3, 2014

Environmental Defense Fund (EDF) appreciates the opportunity to comment on the List of Candidates for the Science Advisory Board (SAB)'s Chemical Assessment Advisory Committee (CAAC) peer review panel for EPA's draft IRIS Toxicological Review of Ammonia. This panel, tasked with one of the first in a series of reviews to be conducted by the recently formed CAAC, will evaluate the scientific and technical validity of the draft assessment and respond to the posted charge questions developed by EPA's National Center for Environmental Assessment (NCEA).

As a subcommittee of the chartered SAB, the CAAC is subject to the Federal Advisory Committee Act (FACA), the Ethics in Government Act of 1978, and all SAB Office policies regarding avoidance of conflicts of interest and appearances of a lack of impartiality. These policies are reflected in consolidated guidance found in the Overview of the Panel Formation Process at the Environmental Protection Agency Science Advisory Board, which states that "[if] a conflict exists between a panel candidate's private financial interests and activities and public responsibilities as a panel member, or even if there is the appearance of partiality, as defined by federal ethics regulations, the SAB Staff will, as a rule, seek to obtain the needed expertise from another individual" (pages 9-10). Similarly, according to the posted List and Biosketches of Candidates for this Activity, criteria used to evaluate candidates for this augmented panel include "absence of financial conflicts of interest" and "absence of appearance of a lack of impartiality" (page 1).

EDF has reviewed the list of candidates for this peer review panel and is concerned about a financial conflict of interest and an appearance of a lack of impartiality with respect to two of the candidates: Dr. Robert Skoglund and Mr. Roger Stacy. Our concerns are detailed below. EDF wishes to emphasize that our comments are not intended in any way to challenge the scientific and technical expertise or impugn the integrity of these proposed panel members.

Dr. Robert Skoglund

Dr. Robert Skoglund is a Senior Laboratory Manager at the 3M Company. Information reported by 3M Company on total on-and off-site disposal and other releases under the Toxics Release Inventory (TRI) indicate that the company that employs Dr. Skoglund uses the chemical that is the subject of the assessment to be reviewed by this CAAC panel. According to the 2012 TRI data, 3M Company sites in Cordova, Illinois and Cottage Grove, Minnesota released 1,699 lbs and 1,908 lbs of ammonia, respectively.¹

This publically available information provides evidence of Dr. Skoglund's financial conflict of interest and lack of appearance of impartiality with respect to his proposed participation in a review of the IRIS assessment of ammonia. Given both his company's documented release – and hence likely use – of this chemical and his responsibility, as stated in the posted biosketch, for “assessment and communication of the hazards and risks of materials important to 3M,” EDF believes that his participation in a review of the ammonia IRIS assessment would be a clear violation of government ethics requirements.

Mr. Roger Stacy

Mr. Roger Stacy is a Specialist for Industrial Hygiene at Agrium Wholesale, a global manufacturer and distributor of fertilizer products. Agrium Wholesale is a division of Agrium, Inc., which also includes Agrium Advanced Technologies and Crop Production Services.²

According to data collected from EPA's Chemical Data Reporting (CDR) requirements in 2012, Agrium, Inc. is a significant manufacturer and user of ammonia:³

- Agrium, Inc. manufactures 1,036,148,000 lbs per year at its site in Borger, Texas
- Agrium, Inc. imports 234,600,000 lbs per year to its site in Kennewick, Washington
- Agrium, Inc. imports 99,532,000 lbs per year to its site in West Sacramento, California
- Agrium Advanced Technologies imports 408,000 lbs per year to its site in Reese, Missouri

The ammonia IRIS assessment also evaluates the toxicological hazards associated with ammonia hydroxide. EPA CDR data on Agrium, Inc.'s manufacture and use of this compound are provided below:⁴

- Agrium, Inc. manufactures 24,240,000 lbs per year at its site in Kennewick, Washington

¹ Environmental Protection Agency, “TRI Explorer: Facility Report: Ammonia, US 2012.” November 2013. Accessed December 18, 2013. http://iaspub.epa.gov/triexplorer/release_fac?p_view=USFA&trilib=TRIO1&TAB_RPT=1&Fedcode=&LINESPP=&sort=VIEW&industry=ALL&FLD=RELLBY&FLD=TSFDSP&sort_fmt=1&TopN=ALL&STATE=All+states&COUNTY=All+counties&chemical=007664417&year=2012&report=&BGCOLOR=%23D0E0FF&FOREGCOLOR=black&FONT_FACE=arial&FONT_SIZE=10+pt&FONT_WIDTH=normal&FONT_STYLE=roman&FONT_WEIGHT=bold

² Agrium, “About Us.” 2014. Accessed January 2, 2014. http://www.agrium.com/about_us.jsp

³ Environmental Protection Agency. “Chemical Data Access Tool (CDAT).” Search term: 7664-41-7. 2012. Accessed January 2, 2014. http://java.epa.gov/oppt_chemical_search/

⁴ Environmental Protection Agency. “Chemical Data Access Tool (CDAT).” Search term: 1336-21-6. 2012. Accessed January 2, 2014. http://java.epa.gov/oppt_chemical_search/

- Agrium, Inc. manufactures 5,109,300 lbs per year at its site in North Bend, Ohio

The significant manufacture and use of both of these compounds by Agrium, Inc. – presumably associated with fertilizer production, a core business of the company – indicate that Mr. Stacy has a financial conflict of interest and an appearance of a lack of impartiality with respect to his participation in this specific peer review panel.

We urge the SAB Staff to take this information into account as it finalizes the membership of this augmented CAAC panel. Please let us know if you have any questions or wish to discuss this matter further. We appreciate the opportunity to comment and look forward to the timely completion of the review of this EPA IRIS assessment.

Respectfully submitted,



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